



MEMORANDUM

City of Beaverton

Community Development Department

To: Interested Parties

From: City of Beaverton Planning Division

Date: October 3, 2018

Subject: **Notice of Decision for HO2018-0001 Lucia's Permanent Makeup Home Occupation**

Please find attached the notice of decision for **HO2018-0001 Lucia's Permanent Makeup Home Occupation**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for HO2018-0001 Lucia's Permanent Makeup Home Occupation is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- The case file number designated by the City.
- The name and signature of each appellant.
- Reference to the written evidence provided to the decision making authority by the appellant that is contrary to the decision.
- If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- The appeal fee of \$250.00, as established by resolution of the City Council.

The appeal closing date for HO2018-0001 Lucia's Permanent Makeup Home Occupation is 4:30 p.m., Tuesday, October 15, 2018.

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed at the Beaverton Planning Division, Community Development Department, 4th Floor, Beaverton Building City Hall; 12725 SW Millikan Way between 7:30 a.m. and 4:30 p.m., Monday through Friday, except holidays. For more information about the case file, please contact Sierra Davis, Associate Planner, at (503) 526-2652.



STAFF REPORT

DATE: October 3, 2018

TO: All Interested Parties

FROM: Sierra Davis, Associate Planner

PROPOSAL: HO2018-0001 Lucia's Permanent Makeup Home Occupation

LOCATION: 5775 SW 141st Avenue
Tax Lot 535 of Washington County Map 1S116CC

SUMMARY: The applicant requests Type Two Home Occupation approval for a proposed permanent makeup business in a residence in a residential zone. There will be one customer at a time and there will be no more than 8 visitors per day. There will be no employees other than the homeowner, and will operate within the hours of 7:00am and 10:00pm, Sunday through Saturday.

APPLICANT/
PROPERTY OWNER: Lucia Lugo and Jorge Garcia Jr.
5775 SW 141st Avenue
Beaverton, OR 97005

DECISION: **APPROVAL of HO2018-0001 – Lucia's Permanent Makeup Home Occupation**, subject to conditions identified at the end of this report.

BACKGROUND FACTS

Key Application Dates

<u>Application</u>	<u>Submittal Date</u>	<u>Deemed Complete</u>	<u>120-Day</u>	<u>365-Day*</u>
HO2018-0001	June 27, 2018	August 21, 2018	December 19, 2018	August 21, 2019

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	(R7) Residential Urban Standard Density	
Current Development	Single Family Residential	
Site Size	0.18 acres	
NAC	Central Beaverton	
Surrounding Uses	<u>Zoning:</u> North: Urban Standard Density (R7) South: Urban Standard Density (R7) East: Urban Standard Density (R7) West: Urban Standard Density (R7)	<u>Uses:</u> North: Single Family Residential South: Single Family Residential East: Single Family Residential West: Single Family Residential

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

	<u>PAGE No.</u>
<u>Attachment A:</u> Home Occupation Two (HO2018-0001)	6-12
<u>Attachment B:</u> Conditions of Approval	13-14
<u>Exhibit 1:</u> Applicant Materials	
1.1 Site Plan	
1.2 Photos of Residence	
<u>Exhibit 2:</u> Public Comments	
2.1 Letter from Tom and Deborah Brown, 5770 SW 141 st Avenue expressing concerns about a commercial business in a residential neighborhood and property value impact to the neighborhood.	
2.2 Letter from Dennis Britten, 14125 SW Lisa Lane expressing concerns about commercial business traffic and activities in a residential zone.	
2.3 Letter from Joan Roney, 14155 SW Lisa Lane expressing concerns about a commercial business in a residential neighborhood.	
2.4 Letter from Richard and Carol Barnett, 5675 SW 141 st Avenue expressing concerns about a commercial business in a residential neighborhood.	
2.5 Letter from Melanie Erskine, 5825 SW 141 st Avenue expressing concerns about a commercial business in a residential neighborhood, potential violations of the CC&Rs for the Allenwood Subdivision, increase in traffic associated with the business, and people loitering on the street waiting for potential customers of the subject property.	
2.6 Letter from John and Rita McCormick, 14150 SW Lisa Lane expressing concerns about traffic and parking as a result of having a commercial business in a residential neighborhood, noise, storage of toxic or flammable materials, and signage.	
2.7 Letter from Wendy Castineira, resident of Lisa Lane expressing concerns about insufficient parking for the business use and a potential safety hazard of parking close to the corner of 141 st Avenue and Lisa Lane.	

Public Comment Response:

Staff has received correspondence and petitions concerning the proposed home occupation and those items are listed above. The correspondence and petitions consist of many pages and address a range of topics. Staff have reviewed each of the comments and have concluded that the comments can be summarized in the following four (4) major themes; commercial uses in residential zones, safety, business activities and CC&R violations. Staff addresses each of these concerns below:

Commercial Uses in Residential Zones

Pursuant to Section 20.05.20 of the Development Code, home occupation are an allowable use in a residential zone. However, if the home occupation is proposed where outside customers or one employee or volunteer visit the premises, then an application for a Home Occupation Two is required. In order to approve a Home Occupation Two application, the Director shall make findings that all approval criteria are satisfied. The approval criteria have been satisfied and are contained in Attachment A of this staff report.

Safety

Public comments included concerns regarding public safety of parking too close to the corner of 141st Avenue and Lisa Lane, and loitering. The parking for the business will be accommodated on the subject property in the driveway. Any parking on the public right-of-way will need to adhere to standard parking regulations. The business owner has provided a waiting area inside the home business and should direct her clients and persons associated with the business to wait inside. Persons who are loitering in the public right-of-way would need to be addressed on a case-by-case basis with a Public Safety Officer. Condition No. 13 has been added to address loitering in the public right-of-way for persons associated with the home occupation.

Business Activities

The business will be conducted inside the home in an existing garage area that will be converted to habitable floor area. The applicant will not be conducting any business outside nor will the applicant store any materials associated with the business outside. Conditions No.4, 5, 9 and 10 provides limitations for the outdoor space surrounding the home.

Condition, Covenant, and Restrictions (CC&Rs)

Condition, Covenants and Restrictions (CC&Rs) are a set of rules established by a developer or homeowners association that governs a particular subdivision, neighborhood or condominium. The City does not enforce CC&Rs; therefore, any issues with the CC&Rs would be a civil legal issue with enforcement pursued by an individual or homeowners association.

**ANALYSIS AND FINDINGS FOR
HOME OCCUPATION TWO APPROVAL
HO2018-0001 – Lucia’s Permanent Makeup Home Occupation**

Section 40.40.05 Home Occupation: Purpose

The purpose of the Home Occupation application is to provide recognition of the needs or desires of many people to engage in small scale business ventures at home. It recognizes the potential advantages for reducing commuter travel when people work at home. It is also recognized that such uses, if not carefully regulated, may be incompatible with the purposes of residential districts. It is the intent of this section that these uses be allowed so long as they are not in violation of the terms of this section and do not alter the residential character of the neighborhood, infringe upon the right of neighboring residents to the peaceful enjoyment of their neighborhood homes, or otherwise be detrimental to the community at large. This Section is carried out by the approval criteria listed herein.

Section 40.40.15.2.C lists the criteria in order to approve a Home Occupation application; the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. *The proposal satisfies the threshold requirements for a Home Occupation Two application.***

The applicant proposes to operate a permanent makeup business in their private residence. Customers will visit the site by appointment.

Threshold 1: A home occupation is proposed where outside customers or employees visit the premises.

Therefore, staff finds that the proposal meets the criterion for approval.

- 2. *All City application fees related to the application under consideration by the decision making authority have been submitted.***

The City of Beaverton received the appropriate fee of \$753.00 for a Home Occupation Two application.

Therefore, staff finds that the proposal meets the criterion for approval.

- 3. *The proposed home occupation shall have a maximum of one (1) volunteer or employee who is not a resident on the premises.***

The applicant states that the proposed home occupation will only be undertaken by herself. Staff proposes a condition of approval (Condition No. 2) that not more than one person not living in the dwelling may be employed or volunteer on the premises.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval.

- 4. *The proposed home occupation shall have no more than 8 daily customers or clients on the premises.***

The applicant states that customers will arrive by appointment, and will have no more than eight daily customers. Staff proposes a condition of approval (Condition No. 12) that all customers will arrive by appointment only with a maximum of eight customers per day.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval.

- 5. *All customer and client visits to the proposed home occupation shall occur only between the hours of 7:00 a.m. and 10:00 p.m.***

The applicant states that customers will arrive by appointment only, and will only occur only between the hours of 7:00 a.m. and 10:00 p.m. Staff proposes a condition of approval (Condition No. 14) that the home occupation operation shall be limited to the hours of 7:00 a.m. to 10:00 p.m.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval

- 6. *If on-site parking is provided, a plan for additional parking may be approved if:***
- a. Not more than a total of 4 on-site parking spaces for the combined residential and home occupation uses are proposed.***
 - b. The parking spaces, driveway, street access, landscaping, storm water drainage, and screening comply with this Code and other city standards.***

There will be no additional parking on site because there is an existing two-car garage and two-car driveway. Client and customer parking will utilize the two driveway spaces on site in front of the garage. Staff proposes a condition of approval (Condition No. 13) that all customer pick-up, drop-off, and parking related to the home occupation will occur on the property using the parking spaces in the driveway.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval

- 7. *Excluding regular U. S. Postal Service delivery, the home occupation shall not require more than two (2) trips per day for delivery or pick up to the residence***

between the hours of 8:00 a.m. and 6:00 p.m. There shall be no deliveries or pick-ups between the hours of 6:00 p.m. and 8:00 a.m.

The U.S. Postal Service will deliver mail on a daily basis, and medical waste disposal pick up by Gresham Sanitary Service between the hours of 8:00 a.m. and 6:00 p.m. Staff is satisfied that the proposed business does not exceed the maximum delivery or pick-ups to the residence.

Therefore, staff finds that the proposal meets the criterion for approval.

8. *The proposed home occupation is being undertaken by an occupant of the residence.*

The applicant states that the proposed home occupation is being undertaken by Lucia Lugo, property owner and occupant of the residence. In addition to the property owner the home occupation may employ one employee or volunteer who is not a resident of the home. Staff proposes a condition of approval (Condition No. 2) to address this limitation.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval

9. *The proposed home occupation is participating in and is consistent with the City's Business License Program and other agency licensing requirements as appropriate to the proposed use.*

The applicant states that Lucia's Permanent Makeup currently holds a Business License, number 32342. Staff confirms that this Business License is accurate and current. As a condition of approval, the applicant will continue to maintain an active City of Beaverton Business License.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval.

10. *The on-site operation of the proposed home occupation shall be conducted entirely within the dwelling, a conforming accessory structure, or both. No exterior storage of materials or equipment shall occur on the premises.*

The applicant states that all operations related to the home occupation will occur in the home's existing garage, which will be converted to habitable space for the permanent makeup business. Staff proposes a condition of approval (Condition No. 6) limiting exterior storage of materials or equipment.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval.

- 11. *The proposed home occupation will not change the use classification of the dwelling unit or accessory structures as determined by the City Building Official applying the State Building Code.***

The primary use of the structure will remain residential. The structure is not proposed to have a change in use classification or occupancy rating.

Therefore, staff finds that the proposal meets the criterion for approval.

- 12. *The proposed home occupation and associated storage of materials and products shall not occupy more than 700 gross square feet of floor area.***

The applicant has stated that the home occupation will occupy a portion of the garage, approximately 20 feet by 22.5 feet, or approximately 450 square feet. This area is further shown on the applicant's site plan (Exhibit 1). Staff concurs that the area associated with the home occupation is under 700 square feet. Staff proposes a condition of approval (Condition No. 5) limiting future expansion of the business to 700 square feet.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval.

- 13. *The subject property will continue to be used and maintained as a residence and will conform to all requirements of this and other City Codes as they pertain to residential property.***

The applicant states that the subject property will continue to be used and maintained as a residence.

Therefore, staff finds that the proposal meets the criterion for approval.

- 14. *The home occupation, including deliveries from other businesses, shall not include the use of tractor-trailers, forklifts, or similar heavy equipment.***

The applicant states that the proposed home occupation does not require deliveries from other businesses, the use of tractor-trailers, fork lifts, or similar heavy equipment. Staff concurs that the permanent makeup service proposed does not require the use of heavy equipment.

Therefore, staff finds that the proposal meets the criterion for approval.

- 15. *There shall be no noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line resulting from the operation of the home occupation.***

The applicant states that the home occupation will create no noise, vibration, smoke, dust, heat or glare beyond the property line as a result of its operation. Staff concurs

with the applicant's statement. Staff proposes a condition of approval (Condition No. 11) that there shall be no noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line resulting from the operation of the home occupation.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval.

- 16. *There shall be no exterior storage of vehicles of any kind used for the business except that one (1) commercially licensed vehicle, which is not larger than a 3/4 ton pick-up, passenger van, or other vehicle of similar size, may be parked outside on the subject property, provided such parking complies with applicable parking restrictions.***

The applicant has stated that the proposed home occupation has no commercial vehicles associated with the use.

Therefore, staff finds that the proposal meets the criterion for approval.

- 17. *The proposal will not involve storage or distribution of toxic or flammable materials, spray painting or spray finishing operations, or similar activities that involve toxic or flammable materials which in the judgment of the Fire Marshall pose a health or safety risk to the residence, its occupants or surrounding properties.***

The applicant has stated that they will not use or store toxic or flammable materials.

Therefore, staff finds that the proposal meets the criterion for approval.

- 18. *There is no signage associated with the proposed home occupation aside from a name plate as allowed by Section 60.40.15 of this Code.***

The applicant has stated that the sign for the business will not exceed the allowable two square foot name plate. Staff proposes a condition of approval (Condition No. 9) that the signage associated with the business shall not exceed two square feet.

Therefore, staff finds that the proposal, as conditioned, meets the criterion for approval.

- 19. *Exterior remodeling will not alter the residential character of the building.***

The applicant has stated that the existing single-car garage door will be removed and replaced with a sliding glass door. The house will retain its residential character and primary use as a residence.

Therefore, staff finds that the proposal meets the criterion for approval.

20. *Excluding required residential parking, adequate off-street parking exists to accommodate vehicular traffic for any employee, customer, or both.*

The applicant has provided site plan and elevation demonstrating the presence of a two-car garage and a driveway wide enough to support two additional vehicles parked on-site. One parking space is required to support the residence; therefore, there are three additional on-site parking spaces for the use of the residential and home occupation uses. It is reasonable to expect that additional interior parking space, not required for the residence, will not be made available to customers. Therefore, there are two remaining parking spaces available for customer parking on the existing driveway.

In written comments submitted to the city, neighbors have expressed concerns about parking logistics supporting the home occupation. The applicant has stated that customer visits are by appointment only, which give the applicant control of when customers visit. The nature of the service provided will mostly likely result in individual appointments with possible overlapping as one customer leaves and the next customer arrives for their appointment. Two parking spaces in the driveway will, in almost all cases, be sufficient to support two customers at one time.

Therefore, staff finds that the proposal meets the criterion for approval.

21. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are subject to an adjustment, planned unit development, or variance which shall be already approved or considered concurrently with the subject proposal.*

Home Occupations are a permitted use in the R7 zone. The existing dwelling in which the home occupation will take place is consistent with all applicable site development standards for the R7 zone. No adjustments, planned unit developments or variances are proposed or necessary.

Therefore, staff finds that the proposal meets the criterion for approval.

22. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.*

The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements). The existing single-car garage door will be replaced with a new sliding glass door and meets all setback requirements. The residential occupancy of the structure will not change due to the proposed home occupation. Off-street parking standards have been met as per the findings for Criterion 20. The site does not contain any protected trees, significant natural resource areas, or other protected areas. No improvements or dedications are required as part of the Home Occupation approval.

Therefore, staff finds that the proposal meets the criterion for approval.

23. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

All applicable application submittal requirements have been submitted with the Home Occupation application.

Therefore, staff finds that the proposal meets the criterion for approval.

24. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in proper sequence.*

A building application has been submitted for concurrent review and will not be issued until the Home Occupation application has been issued. Should any future documentation be needed it shall be provided to the City in proper sequence.

Therefore, staff finds that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **HO2018-0001 Lucia's Permanent Makeup Home Occupation**, subject to the applicable conditions identified in Attachment B.

CONDITIONS OF APPROVAL FOR HO2018-0001

1. The home occupation shall be conducted by an occupant of the residence. (Planning Division/SD)
2. The home occupation shall not employ more than one employee or volunteer who is not a resident of the premises. (Planning Division/SD)
3. The proposed home occupation shall participate in and be consistent with the City's Business License Program and other agency licenses as appropriate to the approved use. (Planning Division/SD)
4. The proposed home occupation operation shall be limited to the hours of 7:00 a.m. to 10:00 p.m. (Planning Division/SD)
5. The proposed home occupation shall be operated entirely within the dwelling. Additionally the area of the home occupation shall not exceed 700 square feet. (Planning Division/SD)
6. No exterior storage of materials or equipment shall occur on the premises. (Planning Division/SD)
7. The proposed home occupation shall not change the use classification of the dwelling unit or accessory structure, as determined by the City Building Official applying the State Building Code. (Building Division)
8. The subject property shall continue to be used and maintained as a residence and shall conform to all requirements of this and other City Codes as they pertain to residential property. (Planning Division/SD)
9. There shall be no signage associated with the proposed home occupation other than a two square foot name plate as allowed by Section 60.40.15.4 of the Development Code. (Planning Division/SD)
10. The site shall be kept clean at all times and all trash shall be stored within the building or within an opaque exterior enclosure. (Planning Division/SD)
11. There shall be no noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line resulting from the operation of the home occupation. (Planning Division/SD)
12. All customers will arrive by appointment only, with a maximum of eight customers per day. (Planning Division/SD)
13. All customer pick-up, drop-off, and parking related to the home occupation will occur on the property using the parking spaces in the driveway. (Planning/SD)
14. The business owner shall direct the clients and persons associated with the business

to use the waiting area inside the home as shown on the approved plans. (Planning Division/SD)

5775 SW 141ST AVE. BEAVERTON, OREGON 97005

PDS

LLC

DESIGN
DRAFTING
CONSULTING

2850 SW CEDAR HILLS BLVD. SUITE 106
BEAVERTON, OREGON 97005-1354
CONTACT: CHRISTOPHER NESTLERODE
PHONE: 503-341-6801 EM. CNDESIGNS@COMCAST.NET

DESCRIPTION OF WORK:

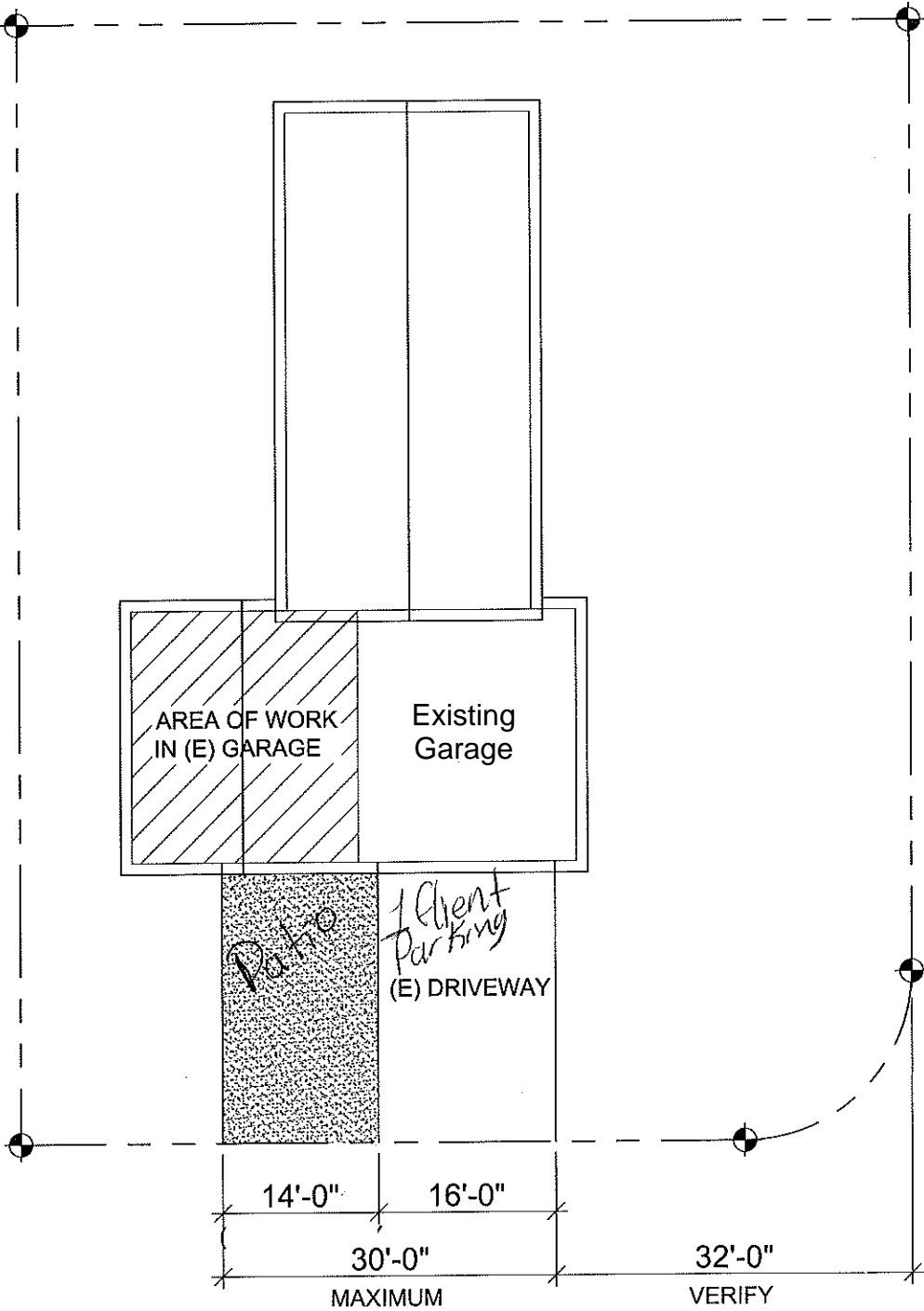
PROVIDE A REMODEL OF THE EXISTING
GARAGE INTO A NEW HOME WORK AREA.

DRAWINGS:

- A0 - TITLE SHEET
- A1 - FLOOR PLAN
- A2 - DETAILS

BUILDING CODES:

2014 ORSC



Received
Planning Division
08/21/2018

1

A0

SITE PLAN

SCALE: 1/16"=1'-0"

ENERGY CODE COMPLIANCE	
TABLE N1101.2 EXISTING BUILDING COMPONENT REQUIREMENTS	
WALL INSUL	R-15
FLAT CLG INSUL	R-49
VAULTED CLG INSUL > 10 IN. NOMINAL RAFTER DEPTH	R-25
VAULTED CLG INSUL > 8 IN. NOMINAL RAFTER DEPTH	R-21
UNDER FLOOR INSUL > 10 IN. NOMINAL JOIST DEPTH	R-30
UNDER FLOOR INSUL > 8 IN. NOMINAL JOIST DEPTH	R-25
SLAB EDGE PERIMETER INSUL	R-15
WINDOW CLASS	U=0.35
SKYLIGHT CLASS	U=0.60
EXTERIOR DOORS	U=0.20
EXTERIOR DOORS w/ > 2.5 SF. GLAZE	U=0.40
FORCED AIR DUCT INSUL	R-8

REMODEL
5775 SW 141ST AVE. BEAVERTON, OREGON 97005

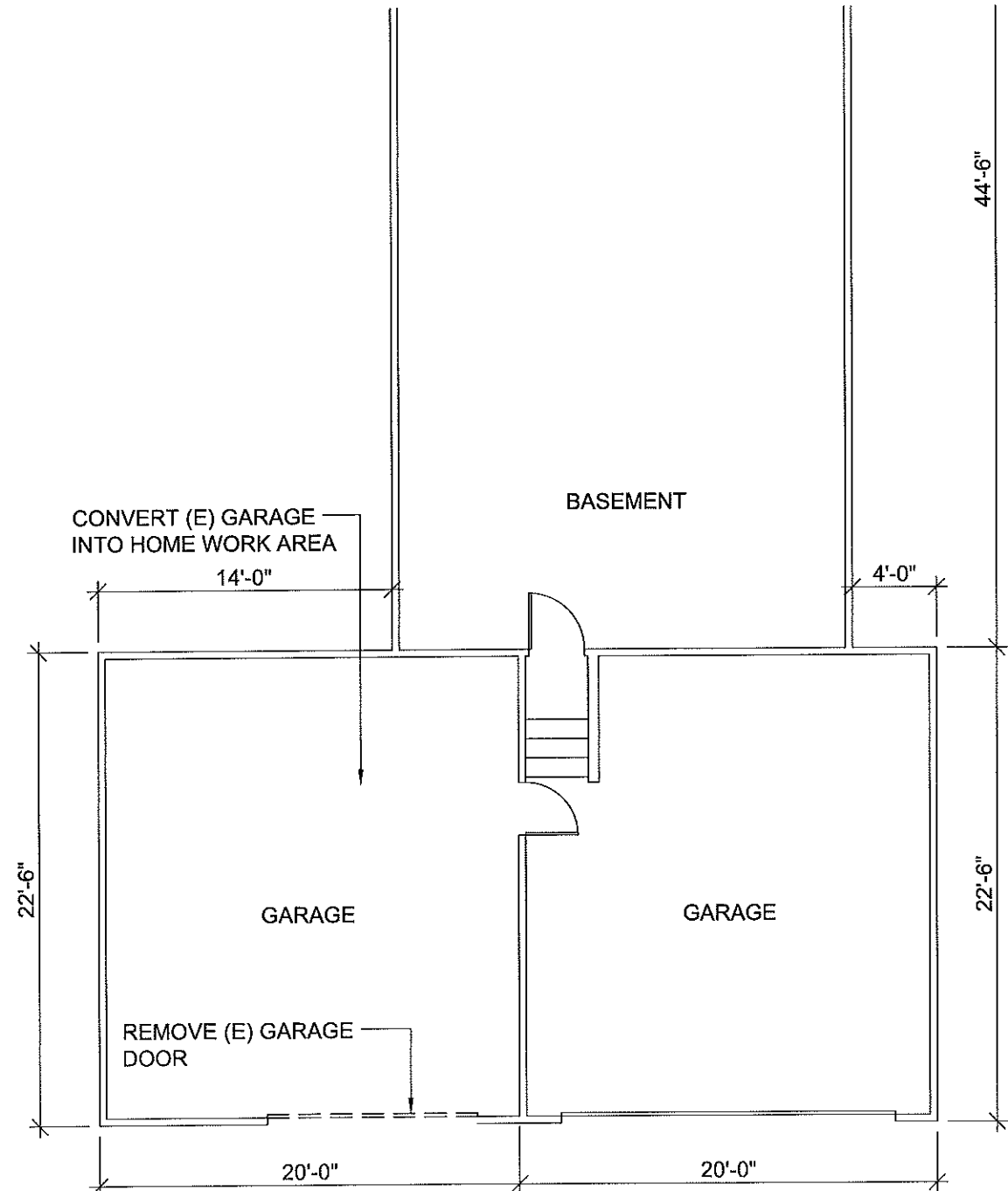
DATE: 04/02/2018
DRAWN BY: CJN
JOB #: 1803107
SHEET: A0

TITLE SHEET

A0

NOTES:

- 1 NEW AND FURRED OUT EXTERIOR WALLS TO BE INSULATED AS REQUIRED PER TABLE ON A0.
- 2 PROVIDE A MIN. 1/2" GYPSUM BOARD ON GARAGE SIDE.
- 3 ALL NEW LOAD BEARING HEADERS AND BEAMS TO BE 4X8 DF #2 U.N.O. & SUPPORTED WITH (2) CRIPPLE STUDS AND (1) KING STUD UNLESS NOTED OTHERWISE.
- 4 DUCTED BATH FAN MIN. 80 CFM INTERMITTENT or 20 CFM CONTINUOUS.
- 5 FUTURE FIXTURE. PROVIDE ROUGH-IN. MEP AS NEEDED.

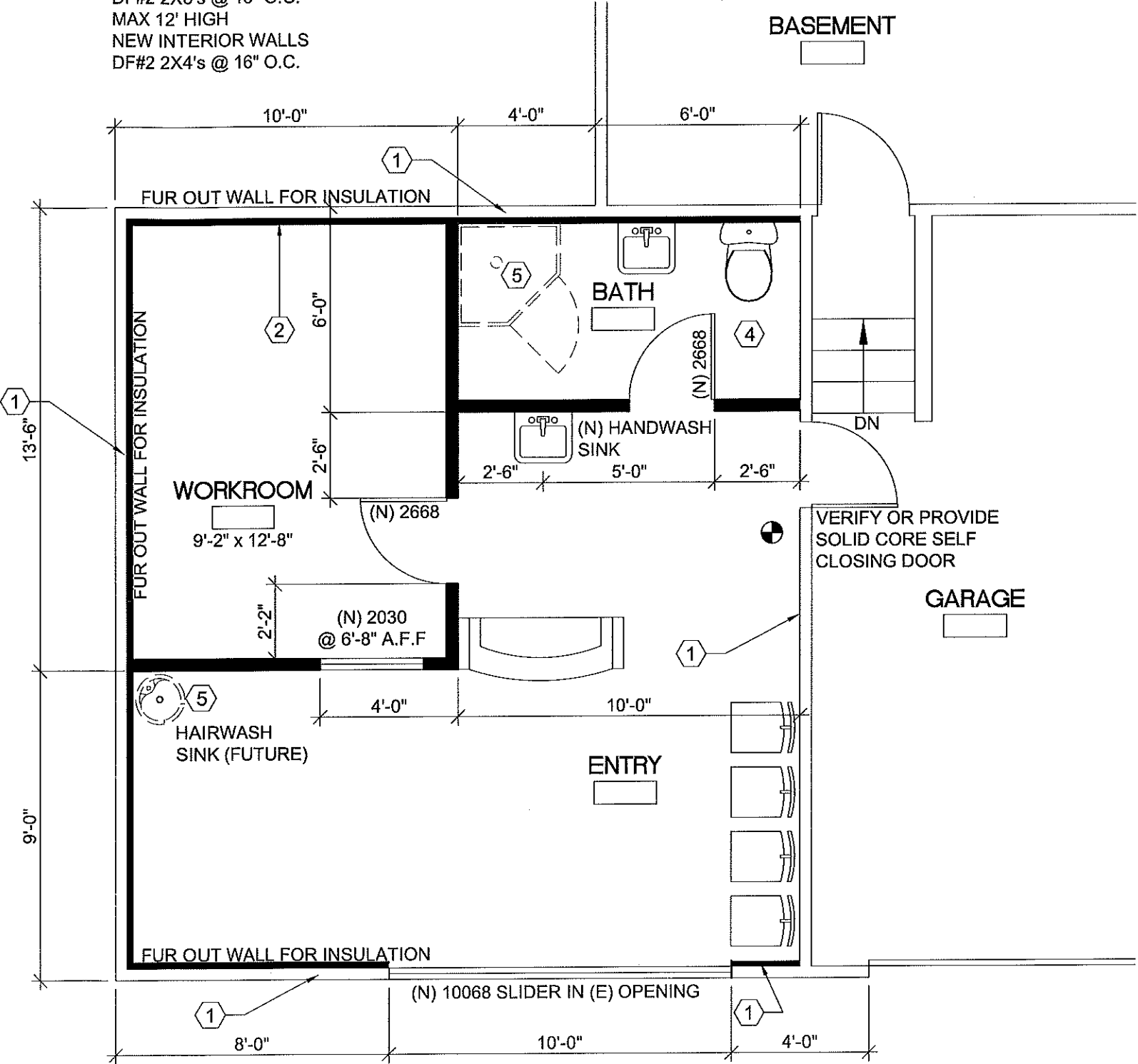


WALL KEY:

- EXISTING WALLS
- REMOVED WALLS
- SHEAR WALLS PER PLAN.
- NEW EXTERIOR WALLS DF#2 2X6's @ 16" O.C. MAX 12' HIGH
- NEW INTERIOR WALLS DF#2 2X4's @ 16" O.C.

LEGEND:

- (N) COMBO SMOKE / CARBON MONOXIDE DETECTOR
- (N) SMOKE DETECTOR w/ BATT. BACKUP (ALL SLEEPING ROOMS)



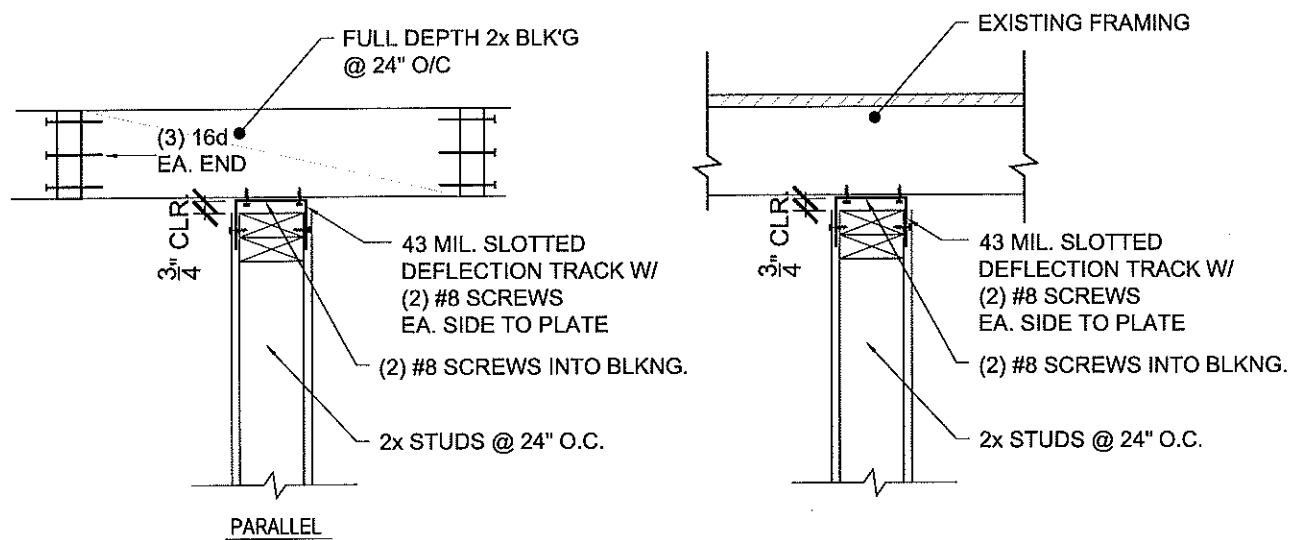
PDS DESIGN DRAFTING CONSULTING
2850 SW CEDAR HILLS BLVD. SUITE 106
BEAVERTON, OREGON 97005-1354
CONTACT: CHRISTOPHER NESTLERODE
PHONE: 503-341-6801 EM. CNDESIGNS@COMCAST.NET

REMODEL
5775 SW 141ST AVE. BEAVERTON, OREGON 97005

DATE: 04/02/2018
DRAWN BY: CJN
JOB #: 1803107
SHEET: A1

FLOOR PLAN

A1

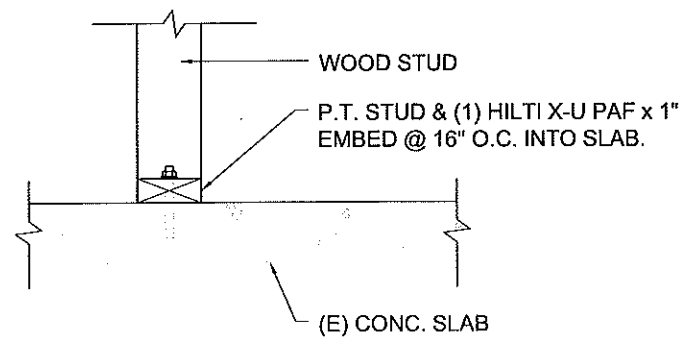


3

A2

NON-BEARING HEAD

SCALE: 1" = 1' - 0"

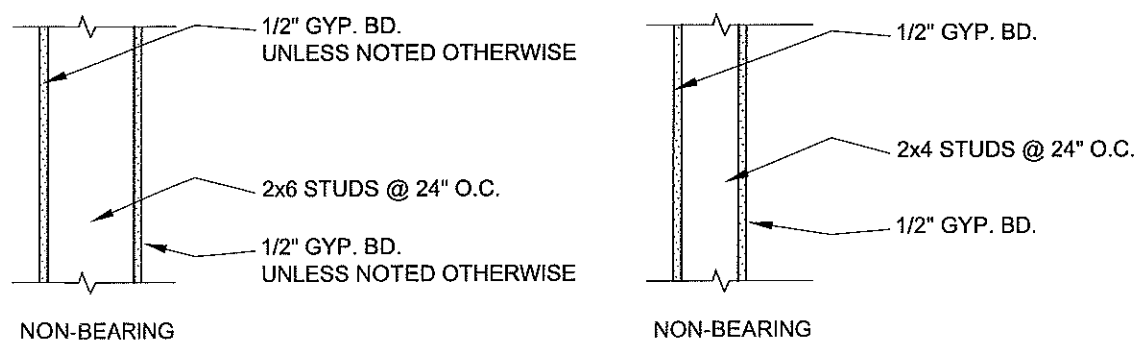


2

A2

NON-BEARING BASE

SCALE: 1" = 1' - 0"



1

A2

INT. WOOD STUDS

SCALE: 1" = 1' - 0"

REMODEL

5775 SW 141ST AVE. BEAVERTON, OREGON 97005

DATE: 04/02/2018
DRAWN BY: C.J.N
JOB #: 1803107
SHEET: A2

WALL DETAILS

A2



DESIGN
DRAFTING
CONSULTING

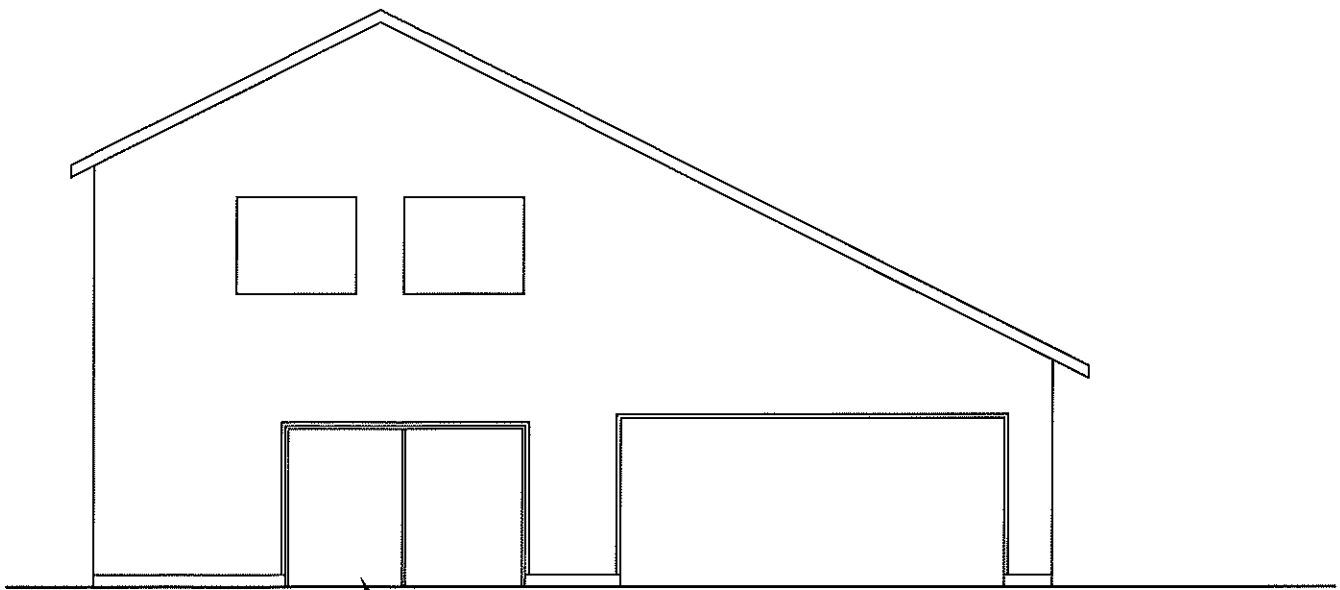
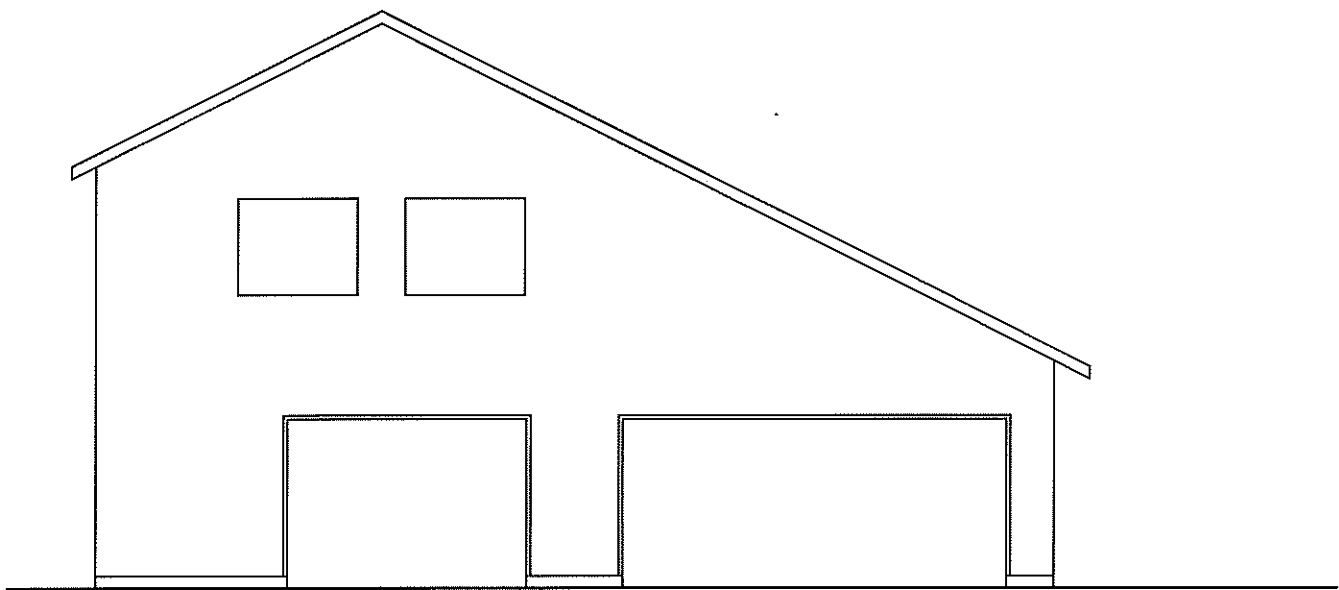
2850 SW CEDAR HILLS BLVD. SUITE 106
BEAVERTON, OREGON 97005-1354
CONTACT: CHRISTOPHER NESTLERODE
PHONE: 503-341-6801 EM: CNDESIGNS@COMCAST.NET

REMODEL
5775 SW 141ST AVE. BEAVERTON, OREGON 97005

DATE: 08/02/2018
DRAWN BY: CJN
JOB #: 1803107
SHEET: A3

ELEVATIONS

A3



NEW SLIDING GLASS DOOR TO REPLACE
EXISTING GARAGE DOOR.

1
A3

EXISTING FRONT ELEVATION

SCALE: 1/8"=1'-0"

2
A3

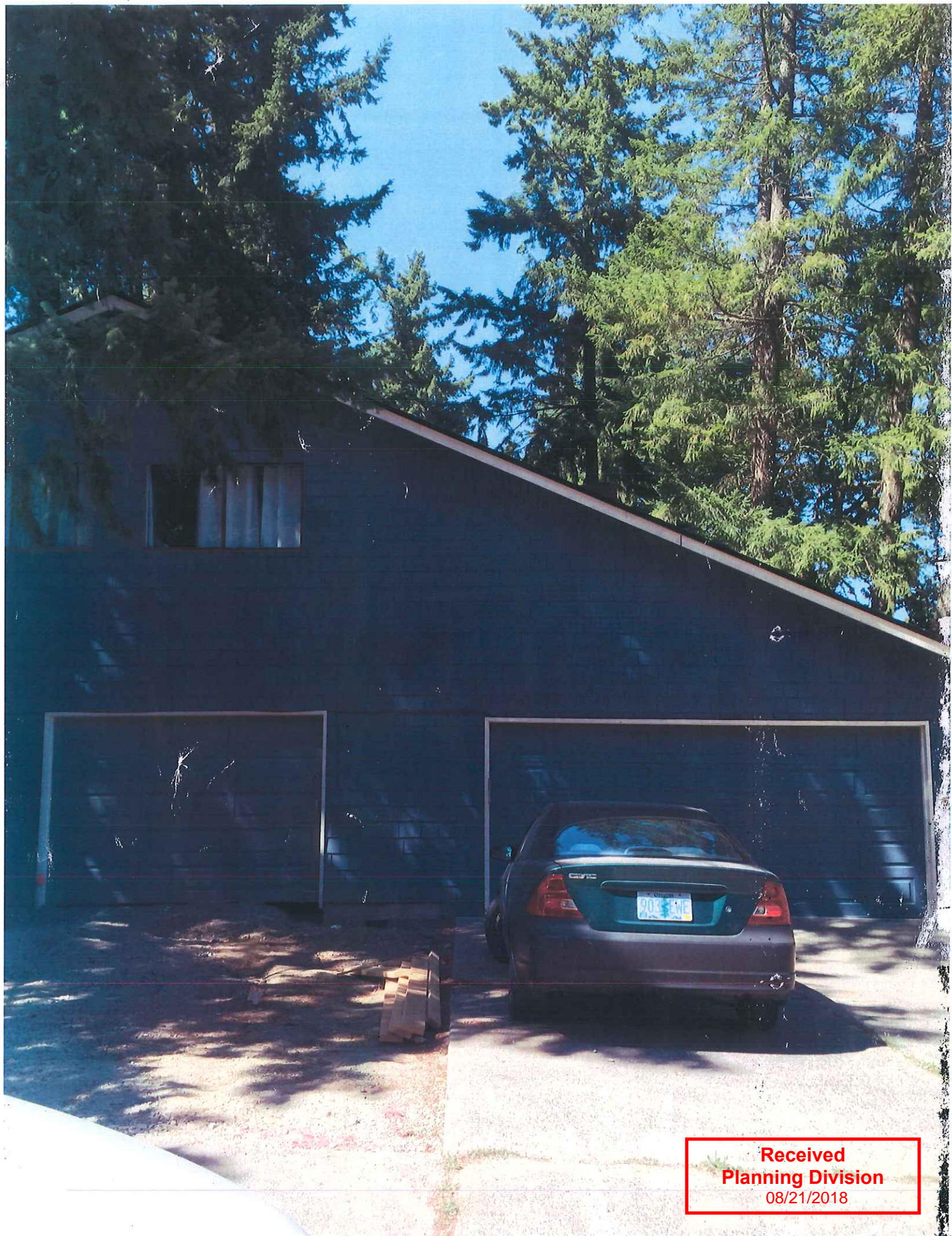
NEW FRONT ELEVATION

SCALE: 1/8"=1'-0"

EXHIBIT 1.2



Received
Planning Division
08/21/2018



Sierra Davis

From: Deborah Brown <deborahkbrown.22@gmail.com>
Sent: Wednesday, September 5, 2018 11:28 AM
To: Sierra Davis
Subject: Lucia's Permanent Makeup Home Occupation Case File No.: HO2018-0001

Follow Up Flag: Follow up
Flag Status: Flagged

Case File No.: HO2018-0001

This letter is in regards to the request for a commercial entity, Lucia's Permanent Makeup Home Occupation, to be allowed at 5775 SW 141st Ave. Beaverton 97005.

As homeowners in this neighborhood, we are in opposition to a commercial entity being allowed for the following reasons: we purposely bought a home in a residential neighborhood and have no desire to live in any type of commercial area; we're worried this could set a precedent and others would then be allowed to follow suit and have commercial businesses out of their homes, eroding the peaceful nature of our residential neighborhood; having a business (which, for all intents and purposes, is a tattoo business) could negatively affect the value of our home. But the bottom line is that this is a residential zone, not a commercial zone, and should remain as such.

There's plenty of commercial space available in many areas of Beaverton. We don't need a commercial entity in our currently very quiet neighborhood. We respectfully request that commercial entities remain in commercial zones in order to maintain the peaceful neighborhood that we adore.

Sincerely,

Tom and Deborah Brown
5770 SW 141st Ave.
Beaverton
415-592-4013

RECEIVED
CITY OF BEAVERTON

SEP 11 2018

Current Planning Division
PO Box 4755
Beaverton, OR 97076

COMMUNITY DEVELOPMENT

Dennis Britten
14125 SW Lisa Lane
Beaverton, OR 97005

Sierra Davis, Associate Planner:

Concerning case file number: HO2018-0001

I am vehemently opposed to approving the Type 2 home occupation proposal of Lucia's Permanent Makeup in the residence located at 5775 SW 141 st Avenue. My residence is next door to this location at 14125 SW Lisa Lane and not only is ours a quiet residential neighborhood celebrating one in the long history of Beaverton's quiet and peaceful family neighborhoods, it has absolutely no parking available for the number of customers this applicant proposes. Allowing this home occupation in this residential neighborhood goes against the reasons the majority of residents of this community chose to live here.


Sincerely, Dennis Britten

R

Joan Roney
14155 SW Lisa Ln.
Beaverton, OR 97005-4312



9-10-2018

Project name: Lucia's permanent makeup
Home occupation

Case File no: H02018-0001

Project location: 5775 S.W. 141st ave

Tax lot 535- Wash. Cty. map 15116CC

Zoning R7 Residential

Sierra Davis

This notice is self explanatory.
Zoned for residential. We moved
here 50 years ago because to live in
a residential area along with new
neighbors who wanted the same
thing. If we wanted to live in
a business area - we would have moved
in a business zone. Joan Roney



DATE: September 13, 2018



TO: Current Planning Division

FROM: Richard and Carol Barnett
5675 SW 141st Ave
Beaverton, OR 97005

PROJECT NAME: LUCIA'S PERMANENT MAKEUP HOME OCCUPATION

Case File No: HO2018-0001

Comments: We do not support this business in our neighborhood. We feel the area should remain strictly residential.

September 8, 2018

RECEIVED
CITY OF BEAVERTON

SEP 14 2018

Current Planning Division
PO Box 4755
Beaverton, OR 97076

COMMUNITY DEVELOPMENT

RE: Case File No.: HO2018-0001
Project Name: Lucia's Permanent Makeup Home Occupation
Location: 5775 SW 141st Ave.

Dear Sierra Davis, Et al,

I am writing to oppose the Type 2 Notice of development proposal that would allow an in-home business with customer visits in our residential neighborhood. In short, the business does not belong in the neighborhood. Lucia's Permanent Makeup has operated at their location on Allen Blvd for quite some time. It should remain in a similar location, already zoned for business purposes.

The CC&Rs for the Allenwood Subdivision (copy enclosed) specifically address land use and building type stating, "Lots 2 to 34, inclusive, shall be used only for residential purposes,..." This home is included in the lot list.

Additionally, "5. Nuisances. No noxious or offensive activity shall be carried on on any lot, nor shall anything be done thereon which may be or may become a nuisance or an annoyance to the neighborhood." Allowing a business with customer visits in our residential neighborhood is already an annoyance and approving this proposal will not only allow this annoyance to continue with the City's blessing but give way for any number of other home occupation businesses to move in.

To my knowledge, the steps outlined in "Terms" have not been taken to modify these restrictions. If so, I would appreciate direction on how to receive an updated copy.

Since the home at 5775 SW 141st Ave changed owners approximately one year ago, there has been a large increase in traffic to and from the home throughout the day and into the evening. Large gatherings of visitors will park cars packed into the front and side lawn of the home, despite there being ample street parking available. When parking on the street, it is common for vehicles to park blocking the home's driveway and blocking pedestrian access to the sidewalk on Lisa Lane near the home. Again, this is odd in that there is plenty of street parking available on both Lisa Lane and in front of the home on 141st Ave that would not cause issues.

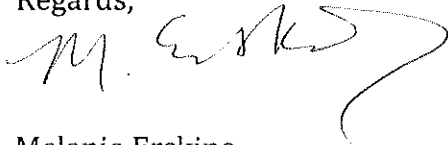
Frequently cars will pull up next to our driveway/parking pad and wait on the street idling for extended periods. It is not unusual for individuals to sit in their vehicle for

(two-sided)

a half-hour waiting/idling, presumably for a customer to complete their appointment in the house. Some get out of their vehicles and sit on our retaining wall; some smoking. I find this to be concerning, especially with the dry weather we have had this summer, and have asked more than one person to either safely extinguish their cigarettes or find somewhere else to wait. These are conversations that I should not need to repeatedly have with strangers loitering not only on the street but in my yard.

I respectfully ask that you deny this request for an in-home business with customer visits.

Regards,

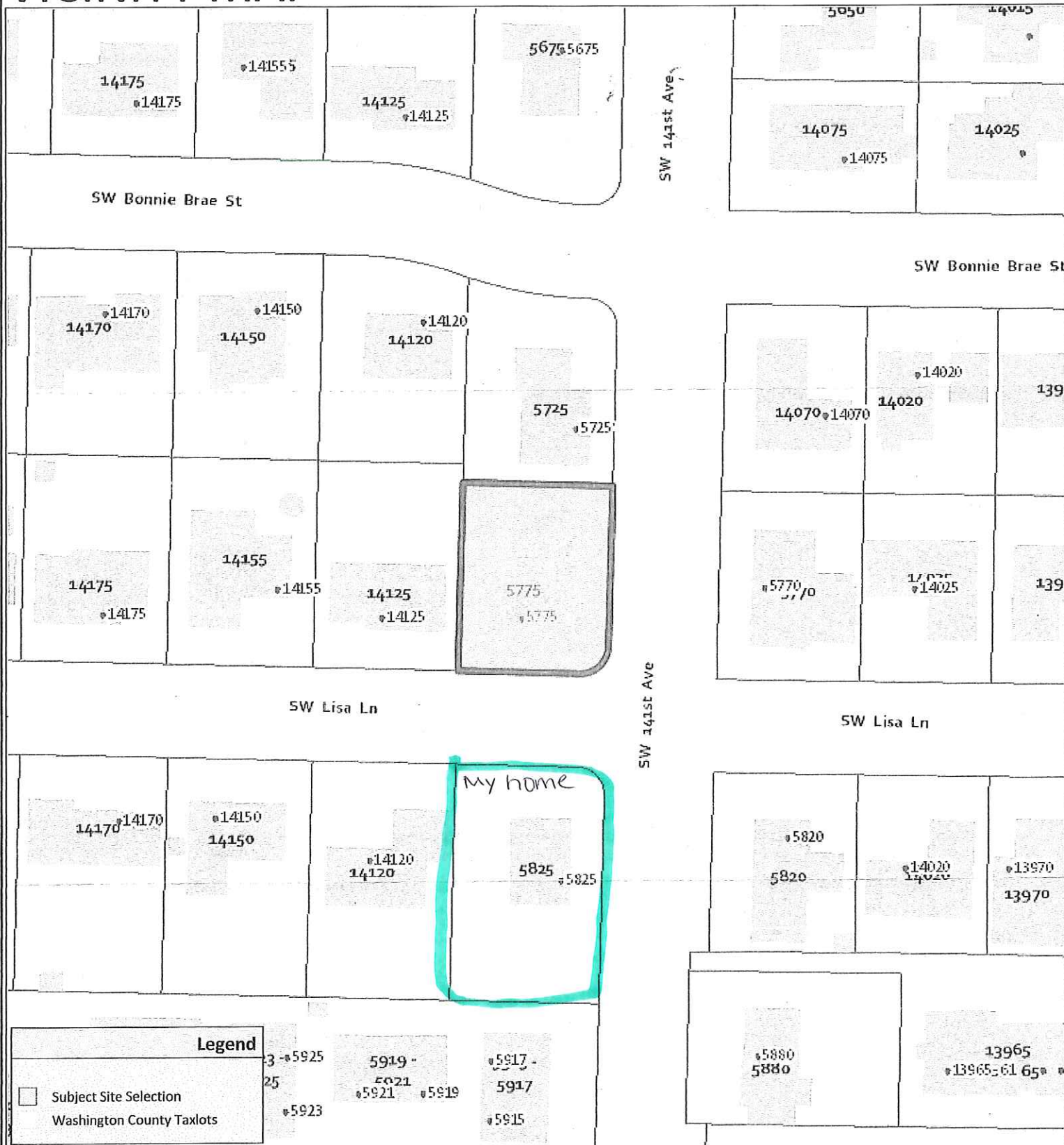
A handwritten signature in black ink, appearing to read 'M. Erskine', with a long, sweeping horizontal stroke extending to the right.

Melanie Erskine
Homeowner and occupant, 5825 SW 141st Ave

Enclosures:

1. Declaration of restrictions, conditions, covenants, charges, and agreements affecting Allenwood subdivision
2. Vicinity map with residence noted

VICINITY MAP



Legend



Subject Site Selection
Washington County Taxlots

LUCIA'S PERMANENT MAKEUP HOME OCCUPATION HO2018-0001

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

The information supplied in this application represents the best data available at the time of publication. City of Beaverton GIS makes no claims, representations, or warranties as to its accuracy or completeness.

08/24/2018

Taxlot No:
15116CC00535



Application #
See Notice



DECLARATION OF RESTRICTIONS, CONDITIONS, COVENANTS,
CHARGES, AND AGREEMENTS AFFECTING
ALLENWOOD SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS, That Justice and Dennis, Inc., an Oregon Corporation, is the legal owner of lands in Allenwood, a duly recorded plat in the City of Beaverton, Washington County, Oregon; recorded in Plat Book 23 at Page 45, of the Plat Records of Washington County, Oregon, and have by contract sold said land to Edwards Industries, Inc., an Oregon Corporation, and the owners in connection with said Plat and Dedication, do hereby declare that for the use of each and all of the Lots 1 to 54, inclusive, of Allenwood Subdivision, the following protective covenants are hereby established:

1. Land Use and Building Type. Lots 2 to 34, inclusive, shall be used only for residential purposes, and no buildings other than one, single family-dwelling with attached or detached garage, shall be erected on said Lots 2 to 34, inclusive. Lot 1 and Lots 35 to 54, inclusive, shall be used only for residential purposes, and no building other than one, single family-dwelling, with attached or detached garage, or multi-family dwellings not to exceed four floors above ground level, with or without garages, shall be erected on any of said Lots 1 and 35 to 54 inclusive.
2. Dwelling Size. The ground floor area of single family dwellings, exclusive of open porches and garage, shall be not less than 800 square feet.
3. Building Location. All buildings shall be set back not less than twenty (20) feet from front lot lines and not less than five (5) feet from side lot lines. The front line of a corner lot shall be construed to be that side of lot toward which the dwelling faces. No dwelling on a corner lot shall be closer than fifteen (15) feet from the side street line. For the purposes herein, eaves, steps, and open porches shall not be considered part of the building.
4. Easements. The property included in said subdivision shall be subject to mutual reciprocal easements over and across a strip of land ten (10) feet in width along all lot lines contiguous with the boundary of the plat, and five (5) feet in width along the side and rear lines of all other lots for the installation, operation and maintenance of water, gas, sewer, telephone, and electric lines, and other services now or hereafter commonly supplied by public utilities serving the residents of this subdivision.
5. Nuisances. No noxious or offensive activity shall be carried on on any lot, nor shall anything be done thereon which may be or may become a nuisance or an annoyance to the neighborhood.
6. Temporary Structures. No structure of a temporary character, such as a basement, tent, shack, or garage, and no trailer, shall be used as a residence at any time.
7. Approval of Plans. Complete plans or adequate sketches of proposed structures shall be submitted to the subdivisor for approval before construction is begun.
8. Completion and Occupancy Time. Construction of the dwelling shall be started within six months after the execution of deed or contract of sale for any lot and shall be substantially completed within six months thereafter. No dwelling shall be occupied prior to substantially 100 per cent completion.

9. Signs. No signs shall be displayed to public view on any lot, except as follows: 1) One professional sign not larger than one square foot; 2) One sign not larger than five square feet advertising the property for sale or rent; 3) Builder's sign during the construction and initial sale periods.

10. Animals. No animals, including poultry, shall be raised or kept on any lot, except that dogs, cats, or other household pets may be kept, provided they are not raised or kept for commercial purposes and are not permitted to cause damage or discomfort to neighbors.

11. Garbage and Refuse Disposals. No lot shall be used as a dumping ground for garbage, rubbish, or other waste. All garbage or other waste shall be kept in sanitary containers, and incinerators or other equipment for the storage or disposal of such material shall be maintained in a clean and sanitary condition.

12. Term. These covenants are to run with the land and shall be binding on all parties claiming under them for a period of 25 years from the date they are recorded, after which time they shall be automatically extended for successive periods of ten years unless an instrument changing them in whole or in part has been signed by a majority of the then owners of the lots, and recorded.

13. Enforcement. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of these covenants, either to restrain violation or to recover damages.

14. Severability. Invalidity of any one of these covenants by judgement or court order shall in no way affect any of the other covenants, which shall remain in full force and effect.



EDWARDS INDUSTRIES, INC.

Allen C. Edwards, Sr.
Allen C. Edwards, Sr.
President

STATE OF OREGON)

) ss.

County of Washington)

BE IT REMEMBERED, That on this 31st day of December, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Allen C. Edwards, Sr., known to me to be the identical individual who executed this instrument and acknowledged to me that he executed the same freely and voluntarily.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Maxine Danielle Land Oke
Notary Public for Oregon
My commission expires: May 11, 1968

Sierra Davis

From: Rita McCormick <ritamc2@frontier.com>
Sent: Sunday, September 16, 2018 4:53 PM
To: Sierra Davis
Subject: Lucia's Permanent Makeup Home Occupation

To: Sierra Davis, Associate Planner, Beaverton, Oregon

Case File No: HO2018-001 **Project Location: 5775 SW 141st Avenue (NW corner lot @ 141st and Lisa Lane)**

This proposal should not be allowed on a single- family residential street. This "business" already has business meetings at this location on a regular basis, parking 16 plus cars on Lisa Lane street for over 4 hours a session! Parking is not possible for all their affiliates cars to park in front of this residence on 141st Street when these meetings occur, sometimes twice a week. Cars are then parked on Lisa Lane or up on their front lawn up off 141st Street. It is difficult for residential home owners to park, or to even have a visitor park nearby. Neighbors to the East and to the West of 141st are disgusted with so many cars parked around this home.

HOME OCCUPATION TWO APPROVAL CRITERIA CHALLENGE:

Criteria #3: Would allow an employee to come to the house on a daily basis, this adds to the parking problem. Now add 3 -8 daily clients who need a parking space.

Criteria #6 The residents at 5775 SW 141st already park 3-4 cars on Lisa Lane each and every day.

Criteria #15 Noise regulation could easily be disregarded.

Criteria #16 No on-site parking would be available. Observation by neighbors complain parking restrictions being disregarded. Cars are parked facing the wrong way, 3 cars, one with a trailer park on the front lawn for meetings.

Criteria #17 Concern exists about storage of toxic or flammable materials on property that may pose a risk to the residence and surrounding properties.

Criteria #18 Very doubtful signage rule would be abided by. Code enforcement office is known to be very busy and needs prodding to act.

This business belongs in a Business Zone that is just 1 block away on Allen Ave. This residential street of single-family homes is being challenged.

Regards,
 Rita McCormick
 Past Chair of Central Beaverton NAC
 Past Member of BCCI

John and Rita McCormick
 14150 SW Lisa Lane
 Beaverton, OR 97005

SEP 19 2018

Planning Division

September 17, 2018

Sierra Davis, Associate Planner
Current Planning Division
PO Box 4755
Beaverton, OR 97076

Case File HO2018-0001 - Lucia's Permanent Makeup Home
Occupation

Dear Ms. Davis:

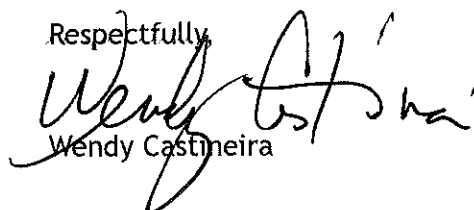
In reference to the subject case file, I am pleased to submit the
following comments for consideration.

I am a family resident; having lived on Lisa Lane since July, 2000.
During this time, I have not spoken out against any proposed
home occupation; however in this case, I feel compelled to
provide written comments. Per the criteria for approval of a
Type II home occupation; I do not believe there is adequate on or
off-site parking to accommodate the proposed business of one
employee and anywhere between 1-8 customers at any one time
visiting the business.

This home is situated on the corner of 141st Avenue and Lisa
Lane; since there is no parking permitted on 141st Avenue, all
traffic will be directed to Lisa Lane. On any given day, this home
already has 2-4 vehicles parked in the driveway and in front of
the house, with vehicles parked on the grass on the property and
along the street in front of neighboring homes as needed to
accommodate the home. Vehicles parked directly on the corner
of Lisa Lane and 141st Avenue present a safety hazard for traffic
headed west on Lisa Lane from 141st Street and visibility and
turning radius are impaired with vehicles parked on the corner.

Your review and consideration of this information is greatly
appreciated. We encourage home enterprising; however in this
case, it will be difficult to monitor the continuous traffic issues.
If you would like to discuss any of the information contained
herein, please contact me at 503-523-9083.

Respectfully,


Wendy Castineira